

# Minneapolis Redistricting Commission Minutes

Session of the Redistricting Commission  
Monday, March 18, 2002, 6 PM  
Room 220 City Hall

Present: Commissioners: Trostel, Collier, Ferrara, Markus, Pettiford,  
Schwarzkopf, Stafford

Redistricting Coordinator Susanne Griffin - (612) 673-2073  
e-mail: [susanne.griffin@ci.minneapolis.mn.us](mailto:susanne.griffin@ci.minneapolis.mn.us)

1. Call to Order and Roll Call  
*Commission Chair Trostel called the meeting to order at 6:05 p.m.  
All Commission members but Commissioner Claypatch and Commissioner Finch were present.*
2. Approval of the Agenda  
*Ferrara moved to approve the amended agenda with Contracts added as number 6A. Collier seconded the motion. It was approved on a unanimous voice vote.*
3. Approval of the Minutes for March 14, 2002  
*Collier moved to approve the minutes. Schwarzkopf seconded the motion. It was approved on a unanimous voice vote.*
4. Commissioners questions  
*The Draft for Discussion paper from Parker Trostel, Chair was discussed and revised by the Commissioners.  
Schwarzkopf moved to delete reference to the Hollman project from the Draft for Discussion document. Ferrara seconded the motion. It passed on a unanimous voice vote.*

## **Draft for Discussion**

*\*Have a more robust discussion on these points.*

*Basic Legal Considerations:*

- *A ward cannot vary in population - using the 2000 U.S. Census - by more than plus or minus 5% from the mean. The total Minneapolis population of 382,612 divided by 13 gives us a mean of 29,432. Standard deviation of 5%*
- *The Minneapolis City Council must fix the ward and park district boundaries by April 30, 2002.*
- *Wards must be compact and contiguous territory, not more than twice as long as wide.*
- *The numbering system of Wards should be similar to what it is now.*
- *The wards should recognize the rights of racial and language minorities.*

- *Precincts (drawn by the City Council alone) can't be divided by legislative districts.*

*Other Considerations:*

- *What deviation from the mean should there be? Should it be closer to .5% or to 5%? The smaller the deviation, the less chance there is of a legal challenge to the plan. The smaller the deviation, the greater chance there is of splitting neighborhoods. The smaller the deviation the closer Minneapolis will come to one person one vote. The larger the deviation the greater the chance of keeping neighborhoods intact.*
- *Should neighborhoods be in more than one ward? Should they be split or not be split?*
- *Should business districts be represented by more than one Council Member?*
- *How should ward boundaries promote minority opportunity districts?*
- *Should the Commission promote minority opportunity districts? Should the ward plan concentrate a minority group or scatter minorities in several wards?*
- *Will making more minority opportunity districts by concentrating a minority group split neighborhoods? Is this desirable or undesirable?*
- *Is racial, ethnic and language diversity desirable in each and all wards?*
- *Should there be a downtown ward because of the unique characteristics of downtown?*
- *Should the Commission make sure that no two present Council Members live in the same new ward?*
- *Should there be a minimum of change to the ward boundaries or is great change needed?*

*Obvious Considerations Not Verbalized:*

- *The wards should be changed to allow for opportunities for DFL, Republican, Independence, Green and labor representatives to be elected!*

*Kristi M. Lassegard, Assistant City Attorney, furnished a two-page Summary for the 3/14/02 Redistricting Letter which follows:*

*Re: Summary of 3/14/02 Redistricting Letter*

*Dear Commissioner:*

*This document summarizes the March 14, 2002 letter regarding voter dilution issues. Assuming conformity with equal population requirements, redistricting plans must also avoid discrimination against racial or language minorities and avoid violations of Section 2 of the Voting Rights Act or of the Equal Protection Clause of the federal constitution. We recommend that specific fact situations be reviewed comprehensively with us, and that you not rely on this synopsis except for general guidance.*

**EQUAL PROTECTION CLAUSE OF THE 14th AMENDMENT**

- *Do not create a racial gerrymander.*
- *Race may not be the predominant factor in districting.*

- *Creating a majority-minority district without regard to "traditional districting principles" is subject to strict scrutiny by the courts. A racial classification must be narrowly tailored to serve a compelling governmental interest.*
- *The shape of the district may be persuasive circumstantial evidence that race was the dominant motive in drawing district lines.*
- *Even if the shapes of districts are reasonably compact they may violate the Equal Protection Clause if race is the dominant motive for the way that the lines were drawn.*
- *If the Commission follows the requirements of Charter Chapter 1, Section 3.2, and draws boundaries containing "contiguous compact territory", the problem of bizarre shapes can be avoided.*
- *Remedying past discrimination, avoiding retrogression in violation of Section 5 of the Voting Rights Act, and avoiding a violation of Section 2 of the Voting Rights Act are possible compelling governmental interests. However, no racial gerrymander was explicitly found by the Supreme Court since the 1990's to have been sufficiently narrowly tailored to achieve any of these compelling governmental interests.*
- *"Traditional race-neutral districting principles" such as compactness, contiguity, and respect for political subdivisions and communities of interest must not be subordinated to race in order to give a minority a voting majority.*
- *Where race was predominant, and was used as a proxy for political affiliation, the districts were subject to strict scrutiny and were struck down.*

## **SECTION 2 OF THE VOTING RIGHTS ACT**

- *Redistricting must avoid a plan, which denies or abridges the rights of racial and language minorities. With respect to a minority which is sufficiently large and compact to constitute a majority in a ward that is politically cohesive, and whose preferred candidate would usually be defeated in voting by the white majority, a plan probably must be created which gives the minority a fair chance to win.*
- *Race may be considered in drawing the ward boundaries so that the political power of a racial minority is preserved and its voting power not diluted*
- *There is no requirement in the Constitution or the Voting Rights Act of proportional representation of racial or ethnic minorities.*
- *Plaintiffs claiming impairment of ability to elect candidates of their choice or to effectively participate in the political process must meet the complicated requirements set out in Gingles. See 3/14/02 Letter to Redistricting Commissioner.*
- *In order to minimize a claim of a Section 2 violation, you should be prepared with empirical data to show what is "reasonable and fair" under "the totality of the circumstances," because your plan may be invalidated*

*for putting either too few or too many members of a minority group into a given district.*

- *To avoid minority voter dilution, care must be taken that "packing" to create a majority minority district does not itself result in voter dilution due to creation of a "super-majority" that decreases the chance for success of minority voters in other districts.*
- *The intent in drawing the lines for the most part is irrelevant. The inquiry is directed toward the results and is based on the totality of the circumstances and a practical inquiry into the 'past and present reality' of the circumstances.*

*Paragraph from Michael Norton, Assistant City Attorney, about deviation was read into the record.*

*"I understand the prior discussion to be to the affect that some Commissioners want to lower the deviation but that no formal decision had been made to actually implement such a standard. I would caution on using the percent element to the detriment of the other standards. If the traditional standards are met and the percent is no greater than five percent authorized in the Charter then the plan has a very good chance of withstanding judicial scrutiny. If all the other applicable standards are met and the percent is lower than 5 percent so much the better but the lower percent shouldn't be the sole driver."*

**Direction to Staff:** Attorney to provide an opinion on Census definition of minority.

## 5. Budget numbers

*Griffin, Director of Elections, presented current information on budget including year to date expenditures and projected expenses.*

**Direction to Staff:** The Commission wants a more detailed budget, which includes year to date GIS and ITS expenses. Staff to create a media packet with electronic and small hard copy version of Redistricting plan maps. Find out the price of the metes and bounds publication of the 1992 redistricting plan.

*Ferrara moved to find out how much a one-day one-page black and white publication which would include the metes and bounds and a graphic map would cost. Markus seconded the motion. It passed on a unanimous voice vote.*

- Technical support
- Parking stickers

*Stafford moved that the Redistricting Commission will pay for parking in the Haaf Ramp for the Commissioners (including Park Commissioners) and the two contract staff when doing official redistricting business. Schwarzkopf seconded the motion. It passed on a unanimous voice vote.*

## 6. Legal issues

*Collier moved to approve the contracts for the Redistricting Commission contract staff and give direction to City Staff to complete the process and*

*execute the contract with the Redistricting staff. Schwarzkopf seconded the motion. It passed on a unanimous voice vote.*

*A formal welcome was given to the two Redistricting Commission staff people: Todd Bleess and Brain Shekleton.*

**Direction to Redistricting Staff and Commissioners:** Don't use Garth Dietrich or John Janzen of the GIS Department because we don't need them now that we have Mssrs. Bleess and Shekleton and because they have accomplished their purpose of setting up the Maptitude program.

*Ferrara moved to enable the Chair and Susanne Griffin to work on a contract with advice from the City Attorney for the GIS professionals in case of an emergency. Grant them the authority to enter into a contract at \$90 an hour billable for actual time worked. Only with prior approval from the Chair or Susanne Griffin, will the Redistricting Commissioners or contract staff contact the GIS professionals. Markus seconded the motion. It passed on a unanimous voice vote.*

7. Discussion of how to have plans/maps to look at on Monday March 25, 2002  
*What process will the Commissioners use to show maps? It was suggested the Commissioners bring in 8 copies of proposed maps and give to the Chair at the beginning of the meeting. Start the meeting on Monday, March 25, 2002 with this discussion.*
8. New Business  
*Commissioner Markus has maps from the Planning Department. They are minority maps from 1990 and 2000. They will be in the GIS room, 220 Tri Tech Building.*
9. Stafford moved to adjourn the meeting. Ferrara seconded the motion. It was passed by unanimous voice vote at 8:18 P.M.

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**Next Redistricting Commission Meeting: March 21, 2002 6 - 8 PM Room 317  
City Hall**

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